



2nd District

# 1998 Legislative Report

from your  
State Representatives



**Rep. Scott Smith**

**Committees:**

Education  
Financial Institutions  
and Insurance, *vice chair*  
Government Administration

**Rep. Roger Bush**

**Committees:**

Children and  
Family Services, *vice chair*  
Energy and Utilities  
Government Reform  
and Land Use



Dear Second District Neighbor:

The current legislative session is a short one, only 60 days, but the issues being decided will have a lasting effect upon you and your family. That's why we wanted to let you know how we see the session shaping up and update you concerning the bills we're doing our best to get passed.

Communicating with you is extremely important to us. Because this is an election year, we are limited by law to only two newsletters or group mailings, of which this is the first. So in order for you to stay informed, please write or call our offices with your questions, complaints or suggestions. As always, we guarantee a "friendly ear" for your ideas and genuinely appreciate your thoughts about needed legislation.

We'd also like to call your attention to the 2nd District "district day" we'll be having in Olympia shortly and to our town hall meetings coming up. We intend to do the best job we can of representing you and your neighbors. By helping us do our jobs better, you're really helping yourself!

Scott Smith

Roger Bush

**Olympia Address:** P. O. Box 40600 - Olympia, WA 98504-0600 **Toll-free hotline:** 1-800-562-6000

**Rep. Smith** (360) 786-7912 Dist. Office (253) 840-4777 **Rep. Bush** (360) 786-7824

# Scott Smith *State Representative*

## Rep. Scott Smith:

As you may be aware, an initiative to the Legislature dealing with the preference element of affirmative action programs in our state has been “provisionally certified” to be placed before state legislators for their consideration. The Washington State Civil Rights Initiative, I-200, which I filed last year, received 280,000 signatures, almost 50,000 more signatures than has ever been collected on an initiative to the Legislature in our State.

Once it has been given the final, official certification by the Secretary of State’s Office as having the required number of signatures, state lawmakers will have three options as to what to do with the measure. They can pass it into law, which can be done without the governor’s signature, they can send it straight to the ballot for voters to decide its fate this fall, or they can send the initiative and an alternative to the ballot.

I have been working for the past three years to eliminate, not affirmative action, but the preference policies associated with affirmative action programs by government. All of the outreach, recruitment and corporate programs stay in place. Of the four elements of affirmative action plans identified by the state Human Rights Commission, the government preference policy is used the least.

The language of the initiative is very clear. The Attorney General’s Office writes the official legal title of each initiative, and as the title for I-200 clearly stated, the intent of this measure is to prohibit government “from discriminating or granting preferential treatment based on race, sex, color, ethnicity or national origin in public employment, education and contracting.” Contrary to what many opponents of the measure claim, it would not eliminate affirmative action, just the granting of preference to certain groups. The U.S. Supreme Court has upheld the legality of elimination of preferences. California’s version of I-200 was upheld after winning approval of 54 percent of that state’s voters in 1996.

It is time for us to admit that racial and gender-based preferences, in general, have not worked. You don’t cure racism with more racism and you don’t cure discrimination with more of the same. Racial and gender discrimination are wrong not just some of the time, but all of the time. Who wouldn’t want to live in a color-blind society? One that, as Martin Luther King said, “judges people on the content of their characters, not the color of their skin.”

The bottom line is that it’s just plain wrong for government to discriminate. And preferences are discriminatory on their face. Whenever government grants a preference to someone based on his or her race, they are discriminating against another person based on that person’s race. What-

ever legislators decide to do with this initiative, I am proud to have been its sponsor and co-chairman of the campaign supporting it. If you want more information about the Washington State Civil Rights Initiative, please call my Olympia office at (360) 786-7912. If you would like to express your views on the initiative as the Legislature prepares to act on it, you can reach other legislators by calling the toll-free legislative hotline, 1-800-562-6000.

**In addition, I am sponsoring legislation this year to make some badly needed changes in our electoral system.** To restore voters’ faith in the election process, we must make sure ballots are kept secure and confidential, that absentee ballots won’t be counted until the polls close, and that voter fraud is a thing of the past. To achieve this, I’ve introduced legislation to require voter registration applicants to indicate whether or not they’re U.S. citizens, making sure no application is complete and no registration would be granted without a designation of U.S. citizenship.

Another measure I initiated deals with processing and counting of absentee ballots. It would require that county political party central committees be notified of the processing of absentees and asked to provide observers to the process, making it more open and fair and easing many people’s concerns. It would also allow county election officials to do as much work as possible on absentees before election day without actually counting the ballots.

Ten days before the election, signatures could be checked and security envelopes removed from the outer envelopes. Then, the day of the election, ballots could be removed from their security envelope and checked for legibility. Duplicates, if needed, would be of a different color. Ballots would not be counted, however, until after the polls close. Some people want all that to occur a full 10 days before election day, but that compromises the integrity of our voting system and is simply not fair to the public. Under my bill, final processing of ballots would start just as it’s done at the polls, at 7 a.m. on election day, and the actual counting wouldn’t take place until after 8 p.m.

The bill also spells out specific steps required in making duplicates to insure accurate copies are made. Other provisions deal with such problem areas as posting notices about election crimes in areas where ballots are processed and tabulated.

**Until we know our election process is working properly, the confidence of the public in the integrity of our government at all levels is compromised. That’s why I feel this problem must be dealt with this session.**

# Roger Bush *State Representative*

## Rep. Roger Bush:

*Having heard so many of my neighbors in the 2nd District "speak their minds" during the interim, I have worked hard to translate their thoughts into legislative proposals that address their concerns.*

## Here are some examples:

### Cutting car license costs

A typical two-car family in Washington pays about \$300 a year in license tab costs. Many people – perhaps you – pay much more!. That's why I introduced a bill to slash license tab fees. My plan is straightforward, easy to administer and fair – and it would put a significant amount of money back in people's pockets. And by making cars more affordable, it becomes easier to upgrade to a better vehicle — a newer, safer, less polluting vehicle. So this bill would save people money and be good for the environment too — and that's important to me.

### Knocking out "intoxication" as a defense

It was called the "most common-sense bill" that legislators considered last year. But HB 1672 to ban voluntary intoxication as a consideration in the defense in all criminal cases — including drunk driving — failed to pass when time ran out. This session, HB 1672 was one of the first bills to pass the House during the very first day of the 1998 session. Its passage, by an overwhelming margin, was extremely gratifying to me. It proved that legislators are determined to overhaul laws dealing with drunk driving. My bill is a vital part of that badly needed reform.



HB 1672 would apply not only to the defense in drunk driving cases, but all criminal cases, including spousal or

child abuse, and other violent criminal acts. This bill would definitely save lives. It would prevent people from being injured and maimed, spouses from being battered and children from being beaten. People do act differently when they know they will be held accountable for their actions.

### Cracking down on internet junk mail

I am also proposing legislation to crack down on the new wave of junk mail flowing into our homes through computers. HB 2752 is a consumer protection bill that wouldn't penalize the providers or the servers and wouldn't limit access to the vast resources of the internet. But it would hit the ones who generate junk e-mail. It would impose a civil penalty for junk e-mail providers who fail to publish a deliverable return address. This would make sure that when you send back the junk mail and ask to be taken off the mailing list, your request won't come back undeliverable.

This bill helps everyone except the junk mail purveyors such as the fraudulent, get-rich-quick-scheme artists and those who take advantage of the web to peddle other worthless, unwanted material. This junk e-mail constitutes an unsolicited cost to the consumer. When you use your online time downloading and dealing with this junk e-mail, you are paying the bill for someone else's advertising.

### State Route 7 widening project

The state Department of Transportation's (DOT) plan to widen and "improve" a five-mile stretch of Pacific Avenue leaves a lot to be desired. Having listened to a great many business people and residents who live on the side streets, I prepared a bill to deal with this issue. The project to install curbs and ditches would eliminate up to 75 percent of the existing driveways along this established commercial zone, creating an economic nightmare for businesses and an unbearable traffic situation.

My opposition is drawn not only from the views of business people, but from listening to the folks who shop, drive and live in the surrounding neighborhoods. Listening to them, I've learned of their concern that children will be in greater jeopardy due to the increase in side road traffic.

I propose to "grandfather in" merchants along the strip having permits dating from 1990-91, allowing them to retain their driveway access to Pacific Avenue. My bill would also stipulate that these people with such a huge economic stake in the project should be equal partners in deciding how this widening will be accomplished.

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**You're invited  
to attend our  
District Day,  
Monday, Feb. 9  
and  
Town Hall  
meetings  
Saturday,  
Feb. 21!**

**Please respond  
as soon as possible.  
We look forward  
to seeing you!**

District day is when we invite you to tour the Capitol Campus and have lunch with your legislators. The day's events will begin at 9:30 a.m. and end at 2 p.m.

We will also be holding town hall meetings Feb. 21 at these times and locations.

## **Tacoma**

**10 a.m. - 11:30 a.m.**

Parkland - Spanaway Library  
13718 Pacific Ave. S.

## **Graham**

**12:30 p.m. - 2 p.m.**

Graham Fire and Rescue  
10012 187th St. E.

## **Orting**

**2:30 p.m. - 4 p.m.**

Multi-Purpose Center  
202 Washington Ave. S.

To let us know if you plan to attend our District Day, or if you'd like more information on any of these events, call Krista in Rep. Smith's office at (360) 786-7912 or Karen in Rep. Bush's office at (360) 786-7824.

**Rep. Scott Smith**  
P. O. Box 40600  
Olympia, WA 98504-0600

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